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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,309	08/02/2000	Eddie Gindi	362-002	8288

7590 07/28/2004

Ward & Olivo
708 Third Avenue
New York, NY 10017

EXAMINER

KIM, AHSHIK

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/631,309	Applicant(s) GINDI, EDDIE	
	Examiner Ahshik Kim	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the amendment filed on May 7, 2004. In the amendment
5 claims 1 and 4 were amended. Currently, claims 1-6 remain for examination.

Claim Rejections – 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the
manner in which the invention was made.

15 3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming (US
5,953,710, hereinafter “Fleming”) in view of Cohen (US 6,422,462, hereinafter “Cohen”) and
Chapin, Jr. (US 5,984,191, hereinafter “Chapin”).

Fleming teaches a credit card system wherein a sub-account or an apportioned credit line
20 is linked to parent(s)’ credit account (see abstract; col. 3, lines 5+). Sub account has a credit
limit set by a primary account holder within the limit of the primary account. Since the
apportioned credit line can be linked to one or more parents account, the credit line for the sub-
account is equal among all credit cards associated with the credit line.

Although Fleming provides means to control and monitor sub account’s activity by
25 adjusting credit limit and number of transactions, Fleming fails to specifically teach or fairly
suggest that credit line can be apportioned for specific classes of transactions.

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Cohen teaches credit/debit cards for issuance by a card holder, the cards being limited to use in transaction at selected vendors only (see abstract; col. 5, lines 26+; col. 8, lines 41+).

In view of Cohen's teaching, it would have been obvious to an ordinary skill in the art at the time the invention was made to employ additional means to authorize transaction based on
5 selected vendors to the teachings of Fleming in order to reduce questionable transactions by sub-account holders. Although Fleming provides detailed transaction report by sub account holders, the report simply shows consummated transactions, not avoiding them. By reducing allowable credit limit or number of transactions, genuine need for purchases can be unintentionally hampered. Yet, the undesirable purchases can still occur. Accordingly, one would be motivated
10 to filter at vendor level as disclosed in Cohen as to who may be the approved merchants are (i.e., children is allowed to use the card for tuitions, books, selected entertainment providers, etc.), and therefore, an obvious expedient. Moreover, since particular vendors are selected and authorized, the vendor can provide products or services over the Internet or telephone (Cohen, col. 3, lines 34+).

15 Fleming/Cohen Fleming fail to specifically teach or fairly suggest that a portion of the credit line is reserved for emergency purposes.

Chapin teaches a credit card system (see abstract; col.. 2, lines 12+) wherein a credit line is reserved for emergency purposes (col. 8, lines 38-62).

In view of Chapin's teaching, it would have been obvious to an ordinary skill in the art at
20 the time the invention was made to allocate a specific credit line or a part of the credit card balance for emergency purposes. Allocating credit card balances or limits for specific purposes are generally known in the art for accounting purposes or for truly "emergent" needs.

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Accordingly, as disclosed by Chapin, one ordinary skill in the art can contemplate allocating credit line on use basis.

Response to Arguments

- 5 4. Applicant's amended claims and remarks filed on May 7, 2004 have been carefully considered. Examiner notes that the amended claims narrow the scope of the invention and define claimed subject matter in clearer manner. However, the amended claims warranted updated search and consideration.

Applicant's arguments with respect to the amended claims further clarifying the claims
10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).
15 Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period
20 will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The fax number directly to the Examiner is (571)273-2393. The examiner can normally be reached between the hours of 6:00AM to 3:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax phone number for this Group is (703)872-9306.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [ahshik.kim@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Ahshik Kim
Patent Examiner
Art Unit 2876
July 19, 2004



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800